

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: 300.1023  
Date: January 6, 2005

In re application of: Chih-Ming Chen, et al.  
Serial No.: 09/726,193  
Filed: November 29, 2000  
For: **CONTROLLED RELEASE METFORMIN FORMULATIONS**

Sir:

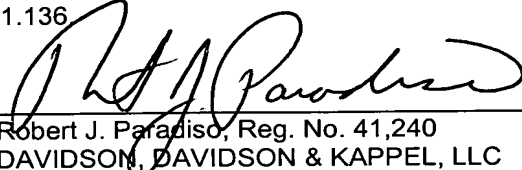
Transmitted herewith is an **Amendment** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

| FOR:   | (Col. 1)   |         | (Col. 2)   |         | SMALL ENTITY |       | OR | LARGE ENTITY |       |
|--|------------|---------|------------|---------|--------------|-------|----|--------------|-------|
|  | REMAINING  | HIGHEST | PREVIOUSLY | PRESENT | RATE         | FEE   |    | RATE         | FEE   |
|  | AFTER      |         | PAID FOR   | EXTRA   |              |       |    |              |       |
| TOTAL CLAIMS   | * Minus**  | =       |            | 0       | x \$ 9       | \$    |    | x \$ 18      | \$    |
| INDEP. CLAIMS  | * Minus*** | =       |            | 0       | x \$ 40      | \$    |    | x \$ 80      | \$    |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |            |         |            |         | +            | \$135 | \$ | +            | \$270 |

TOTAL: \$ OR TOTAL: \$

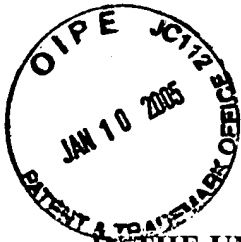
- ☐ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☐ Other:
- ☐ Check(s) in the amount \$.00 of is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136

  
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on January 6, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 



300.1023

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                  |  |
|------------------|--|
| Application No.: | 09/726,193   |
| Applicant:       | Chih-Ming CHEN, et al.                               |
| Filed:           | November 29, 2000                                    |
| TC/A.U.          | 1615   |
| Examiner:        | B. Fubara  |
| For:             | <b>CONTROLLED RELEASE<br/>METFORMIN FORMULATIONS</b> |
| Docket No.:      | 300.1023   |
| Customer No.:    | 23280  |

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

January 6, 2005

**AMENDMENT UNDER 37 CFR §1.116**

Sir:

In response to the Office Action mailed October 6, 2004, please amend the above-referenced application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.